

Remarks

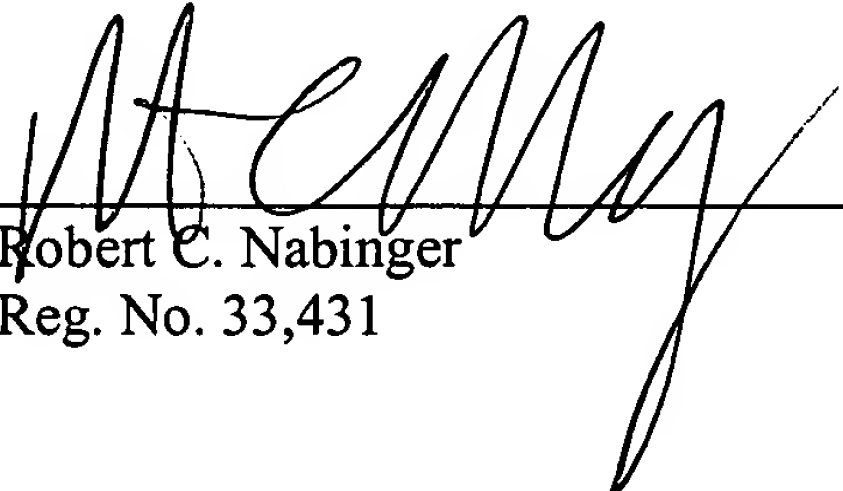
The claims have been rejected under 35 U.S.C. § 103(a) over Gupta, U.S. Pat. 5,343,535 in view of Thandiwe, U.S. Pat. 6,456,036 ("Thandiwe").

Applicant requests that the rejection be withdrawn. As applicant noted in the amendment mailed on April 28, 2004, Thandiwe potentially qualifies as prior art to the present application (filed December 4, 2000) because of its 35 U.S.C. § 102(e) date of September 24, 2000, but only if the methods covered by the pending claims were not invented by applicant prior to that date. The enclosed Declaration of Robert C. Nabinger, an attorney of record, establishes that a draft patent application describing embodiment(s) covered by the pending claims was sent to the inventor for review on July 27, 2000. That date is prior to September 24, 2000 and thus proves an invention date for the subject matter covered by the pending claims of at least as early as July 27, 2000. As a result, Thandiwe does not qualify as prior art to the pending claims under 35 U.S.C. § 102(e) and the rejection should be withdrawn.

Applicant submits that all of the claims are now in condition for allowance, which action is requested. Enclosed is a \$110.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: December 1, 2004


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